

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|---------------------------|---|----------------|
| DERRICK DALE FONTROY, I. | : | CIVIL ACTION |
| THEODORE B. SAVAGE, J.D. | : | |
| AARON CHRISTOPHER WHEELER | : | |
| JAMES S. PAVLICHKO | : | |
| | : | |
| | : | |
| v. | : | No. 02-CV-2949 |
| | : | |
| | : | |
| MARK S. SCHWEIKER | : | |
| JEFFREY A. BEARD | : | |
| DONALD T. VAUGHN | : | |
| LESLIE HATCHER | : | |
| KIM ULISNY | : | |

ORDER

AND NOW, this 22nd day of April, 2003, upon consideration of Plaintiff Aaron Christopher Wheeler's Motion for Leave to File Supplemental Complaint Pursuant to Fed. R.Civ.P. Rule 15(D) (Docket No. 45) and the Defendants' response, it is **ORDERED** that the motion is **DENIED**.¹

TIMOTHY J. SAVAGE, J.

¹ The law of the case doctrine dictates that this Court is required to follow Judge O'Neill's Order dated August 13, 2002, previously denying the plaintiffs' request to file a supplemental complaint against new defendants and assert new claims which are unrelated to the original claims (Docket No. 15). See, e.g., *In re City of Philadelphia Litigation*, 158 F.3d 711, 714 (3d Cir. 1998). Plaintiff Wheeler's supplemental complaint attempts to add additional defendants and claims which are unrelated to and occurred subsequent to the original claims. Rule 15(d) does not permit such a supplemental pleading. See, e.g., *U.S. v. Local 560 (I.B.T.)*, 974 F.2d 315, 329 n.7 (3d Cir. 1992).